

REMARKS

Reconsideration is requested.

Claims 69-90, 92-99, 101, 102 and 104-106 are pending.

The Section 112, first paragraph, rejection of claims 69-73 is obviated by the above amendments. The claims have been amended to advance prosecution, without prejudice. Clarification is requested regarding the Examiner's suggestion to delete "hydrate of the salt, [and] solvate" (see page 5 of the Office Action dated April 7, 2008) in the event the rejection is maintained. Withdrawal of the rejection is requested.

The Examiner is requested to hold the obviousness-type double patenting rejections of claims 69-90, 92-99, 101, 102 and 104-106 over claims 1-10 of copending Application No. 11/493,040, until such time as allowable subject matter is identified.

The Examiner is requested to hold the obviousness-type double patenting rejections of claims 69-90, 92-99, 101, 102 and 104-106 over claims 38-68 of Application No. 10/520,078, until such time as allowable subject matter is identified.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned, preferably by telephone, in the event anything further is required in this regard.

NAJIB et al
Appl. No. 10/520,079
Atty. Ref.: 3665-129
Amendment
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Respectfully submitted,

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